

# Notice of Allowability

Application No.

09/741,777

Examiner

Dalena Tran

Applicant(s)

MCDONALD ET AL.

Art Unit

3661

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 2-4, 7-24, and 27(now renumbered as 1-22).
3. ☒ The drawings filed on 11 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. ____.             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. ____.               | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

TAN NGUYEN  
PRIMARY EXAMINER

**EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

1. This communication is an Examiner's reasons for allowance in response to application filed on 12/20/00, assigned serial 09/741777 and title "Method And Apparatus For Providing Automatic Status Information Of A Delivery Operation".

2. The following is the Examiner's statement of reasons for the indication of allowable subject matter:

After carefully reviewing the application in light of the amended claims and the additional search of all the possible areas relevant to the present application, a set of related prior art references has been found, but those prior art references are not deemed strong to make the application unpatentable. Thus, it is found that the application is now in condition for allowance.

Although the references found disclose several claimed limitations, none of the references disclose a vehicle monitoring system that monitors the state of a plurality of vehicles, system comprising: at least one mobile data unit that generates automatic status information corresponding to a delivery vehicle, wherein the automatic status information includes position information and delivery state information; a delivery state database that store the automatic status information generated by the mobile data unit; wherein the mobile data unit includes a controller, GPS receiver coupled to the controller, and at least one vehicle condition sensor coupled to the controller, and controller generates the automatic status information based on signals received from the GPS receiver and the vehicle condition sensor; wherein the controller determines the delivery state information based on the signal received from the vehicle condition sensor; and wherein the vehicle condition sensor generates a mixing barrel status signal indicative of a charge condition and a discharge operating condition of a mixing barrel, and

Art Unit: 3661

wherein the controller determines a Begin Pour delivery state and an End Pour delivery state based on the mixing barrel status signal. Also, none of the references found dispatch monitoring for displaying the automatic status information in the form of an icon, wherein a display condition of the icon is varied in accordance with a delivery state defined by the delivery state information, the display condition includes at least one of the shape, color, size, contrast or display status of the icon; the delivery state information includes a plurality of delivery states that define a delivery cycle, and wherein the controller determines whether a current delivery state is valid based on the delivery cycle, wherein the controller determines whether a current delivery state is valid based on whether a prerequisite deliver state within the delivery cycle has occurred; none of the references found, hot zone data corresponding to geographic zone around at least one of a loading terminal and a delivery site is supplied to the mobile data unit, and wherein the controller determines the delivery state information based on the hot zone data; the controller alters the hot zone data in response to certain delivery states defined by the delivery state information, the controller alters the hot zone data to expand the geographic zone when the delivery state information is indicative of an At Job delivery state to thereby avoid problems associated with GPS jitter, the controller disables position detection when the delivery vehicle enters a geographic zone defined by the hot zone data to avoid problems associated with GPS jitter, the controller alters the hot zone data to relocate the geographic zone when the delivery state information is indicative of a change in location of a delivery site; the controller determines if the End Pour delivery state is valid if a valid At Job state has been determined, a valid Begin Pour state has been determined, the mixing drum status signal indicates a charge condition, and at least one of the signal received from the GPS receiver indicate the delivery vehicle is outside

Art Unit: 3661

of a specific hot zone, or the velocity signal indicates delivery vehicle is moving at a velocity greater than a predetermined minimal threshold is true; wherein the controller determines if the Begin Pour delivery state is valid if the velocity signal indicates the delivery vehicle is moving at a velocity less than a predetermined threshold value, and the mixing drum status signal indicates a discharge condition; also, the controller determines if the Begin Pour delivery state is valid if at least one of a valid At Job state is determined, and the signal received from the GPS receiver indicates the delivery vehicle is outside of a hot zone corresponding to a loading terminal (claims 2-4, 7-24, and 27).

Claims 2-4, 7-24, and 27 are allowable over the prior art of record.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 703-308-8223. The examiner can normally be reached on M-F (7:30 AM-5:30AM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

/dt

July 25, 2002

  
TAN NGUYEN  
PRIMARY EXAMINER